

AO 91 (Rev. 11/11) Criminal ComplaintUNITED STATES DISTRICT COURT
for the
Northern District of New YorkUNITED STATES OF AMERICA
v.

Macario RAMIREZ MARTINEZ,

Defendant.

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Case No. 1:25-MJ-208(DJS)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of July 15, 2025, in the county of Saratoga, New York in the Northern District of New York the defendant violated:

Code Section

8 U.S.C. § 1326(a)

Offense Description

Macario RAMIREZ MARTINEZ, an alien, native and citizen of Mexico, being an alien who has been denied admission, excluded, deported, or removed, or has departed the United States while an order of exclusion, deportation, or removal is outstanding, entered and was thereafter found in the United States without the Attorney General of the United States, or her successor, the Secretary of Homeland Security, having expressly consented to his reapplication for admission to the United States.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.*Complainant's signature*

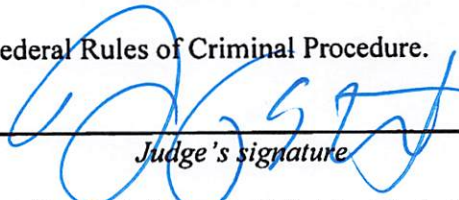
Sean T. Thalheimer, Special Agent, HSI

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date:

July 15, 2025

*Judge's signature*

City and State: Albany, New York

Hon. Daniel J. Stewart, U.S. Magistrate Judge

Printed name and title

I am a Special Agent with the U.S. Immigration and Customs Enforcement Office of Homeland Security Investigations (HSI) and have been since 2020. In this role, I have participated in a number of investigations involving violations of the Immigration and Nationality Act.

On July 15, 2025, Immigration Customs and Enforcement - Enforcement and Removal Operations (ICE-ERO) Albany, NY in conjunction with HSI Albany, NY engaged in a joint-targeted enforcement operation in the vicinity of Gaslight Apartments, located at 10 South Federal Street Saratoga, NY 12866. ICE ERO Albany observed a subject who matched the physical description of a target of the operation exit the Gaslight apartment complex and proceeded towards CVS Pharmacy, located at 34 Congress Street Saratoga Springs, NY 12866. ICE ERO observed this subject go inside CVS, exit approximately five minutes later, and proceed towards the direction of Gaslight Apartments. ICE ERO officers attempted to contact the subject via a casual encounter. The ICE ERO officer asked if the subject spoke English and the subject replied "no." The ICE ERO officer asked what country the subject was from the subject said "what" in the Spanish language. The ICE ERO officer identified themselves to the subject as immigration authorities. The subject then replied he was from Mexico and attempted to walk away while speaking on his phone. An additional ICE ERO officer arrived on scene and spoke to the subject in Spanish, at which time the subject admitted to being "illegal." The subject was placed under arrest, handcuffed, and transported to the ICE Malta, NY office for further processing without incident.

There, ICE ERO took biometric information from the subject, including fingerprints and biographical information, which were entered into Department of Homeland Security databases. The subject's fingerprints resulted in a positive match for a previously removed alien, Macario RAMIREZ MARTINEZ, under file number A# 209126885.

According to these records, RAMIREZ MARTINEZ is a citizen of Mexico and has been removed from the United States pursuant to immigration proceedings on two occasions.

First, on August 4, 2016, United States Border Patrol encountered RAMIREZ MARTINEZ in Nogales, AZ. Border Patrol determined RAMIREZ MARTINEZ entered the United States unlawfully near Nogales, AZ from Mexico at a time and place other than as designated by immigration officers of the United States of America. RAMIREZ MARTINEZ was processed for expedited removal and removed to Mexico via Nogales, AZ port of entry on August 05, 2016.

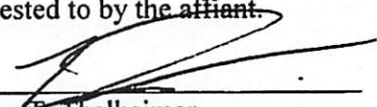
Second, on August 9, 2016, United States Border Patrol encountered RAMIREZ MARTINEZ in Nogales, AZ. Border Patrol determined RAMIREZ MARTINEZ again entered the United States unlawfully near Nogales, AZ from Mexico at a time and place other than as designated by immigration officers of the United States of America. RAMIREZ MARTINEZ was processed for reinstatement of his prior order of removal. RAMIREZ MARTINEZ was removed to Mexico via Nogales, AZ port of entry on August 10, 2016.

RAMIREZ MARTINEZ has not obtained the express consent of the Attorney General of the United States or her successor, the Secretary of Homeland Security, to reapply for admission to the United States.

Based on the foregoing, there is probable cause to believe that on July 15, 2025, while in Saratoga

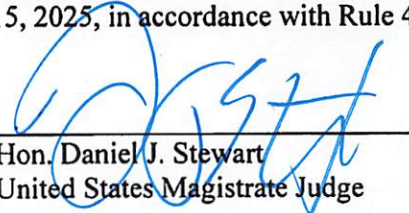
County, the defendant violated 8 U.S.C. §1326(a), which prohibits aliens who have been denied admission, excluded, deported, or removed, or has departed the United States while an order of exclusion, deportation, or removal is outstanding, from entering and being found in the United States unless the Attorney General of the United States, or her successor, the Secretary of Homeland Security, has expressly consented to their reapplication for admission to the United States.

Attested to by the affiant.



Sean T. Thalheimer
HSI Special Agent

I, the Honorable Daniel J. Stewart, United States Magistrate Judge, hereby acknowledge that this affidavit was attested to by the affiant by telephone on July 15, 2025, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Hon. Daniel J. Stewart
United States Magistrate Judge